

To: Winnin Inc. (sabarra-docket@fzlz.com)
Subject: U.S. TRADEMARK APPLICATION NO. 87742185 - PARODY STAR - WINC 1711174
Sent: 4/23/2018 2:28:52 PM
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**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**U.S. APPLICATION
SERIAL NO. 87742185**

MARK: PARODY STAR *87742185*

**CORRESPONDENT
ADDRESS:**
NANCY SABARRA
FROSS ZELNICK
LEHRMAN & ZISSU,
P.C.
4 TIMES SQUARE,
17TH FLOOR
NEW YORK, NY
10036

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APPLICANT: Winnin
Inc.

**CORRESPONDENT'S
REFERENCE/DOCKET
NO:**

WINC 1711174

**CORRESPONDENT
E-MAIL ADDRESS:**

sabarra-
docket@fzlw.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW. A RESPONSE TRANSMITTED THROUGH THE TRADEMARK ELECTRONIC APPLICATION SYSTEM (TEAS) MUST BE RECEIVED BEFORE MIDNIGHT EASTERN TIME OF THE LAST DAY OF THE RESPONSE PERIOD.

ISSUE/MAILING DATE: 4/23/2018

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

SEARCH OF OFFICE'S DATABASE OF MARKS

The trademark examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

SUMMARY OF ISSUES APPLICANT MUST ADDRESS

- Disclaimer
- Identification of services

DISCLAIMER REQUIRED

Applicant must disclaim the wording "PARODY STAR" because it merely describes an ingredient, quality, characteristic, function, feature, purpose, or use of applicant's services, and thus is an unregistrable component of the mark. *See* 15 U.S.C. §§1052(e)(1), 1056(a); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)); TMEP §§1213, 1213.03(a).

The attached definitions show that a "parody" is a type of comic entertainment, and a "star" is someone who is famous. The attached evidence describing various reality shows that the word "star" is commonly used to refer to the participants in a reality show, and is often paired with the word describing the type of show. In this case, the combined words PARODY and STAR describe the subject of applicant's services – a reality show featuring or seeking to create parody "stars."

An applicant may not claim exclusive rights to terms that others may need to use to describe their goods and/or services in the marketplace. *See Dena Corp. v. Belvedere Int'l, Inc.*, 950 F.2d 1555, 1560, 21 USPQ2d 1047, 1051 (Fed. Cir. 1991); *In re Aug. Storck KG*, 218 USPQ 823, 825 (TTAB 1983). A disclaimer of unregistrable matter does not affect the appearance of the mark; that is, a disclaimer does not physically remove the disclaimed matter from the mark. *See Schwarzkopf v. John H. Breck, Inc.*, 340 F.2d 978, 978, 144 USPQ 433, 433 (C.C.P.A. 1965); TMEP §1213.

If applicant does not provide the required disclaimer, the USPTO may refuse to register the entire mark. *See In re Stereotaxis Inc.*, 429 F.3d 1039, 1040-41, 77 USPQ2d 1087, 1088-89 (Fed. Cir. 2005); TMEP §1213.01(b).

Applicant should submit a disclaimer in the following standardized format:

No claim is made to the exclusive right to use "PARODY STAR" apart from the mark as shown.

For an overview of disclaimers and instructions on how to satisfy this disclaimer requirement online using the Trademark Electronic Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/disclaimer.jsp>.

IDENTIFICATION OF SERVICES

THIS PARTIAL REQUIREMENT APPLIES ONLY TO THE SERVICES SPECIFIED THEREIN

The identification of services is indefinite and must be clarified because the subject of the audiovisual recordings is not provided. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. The wording “” is not acceptable in this case because it is unclear what the “audiovisual recordings” are. Therefore, applicant must identify the subject of the recordings, such as music or films.

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO’s online searchable [U.S. Acceptable Identification of Goods and Services Manual](#). *See* TMEP §1402.04.

Applicant’s goods and/or services may be clarified or limited, but may not be expanded beyond those originally itemized in the application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Applicant may clarify or limit the identification by inserting qualifying language or deleting items to result in a more specific identification; however, applicant may not substitute different goods and/or services or add goods and/or services not found or encompassed by those in the original application or as acceptably amended. *See* TMEP §1402.06(a)-(b). The scope of the goods and/or services sets the outer limit for any changes to the identification and is generally determined by the ordinary meaning of the wording in the identification. TMEP §§1402.06(b), 1402.07(a)-(b). Any acceptable changes to the goods and/or services will further limit scope, and once goods and/or services are deleted, they are not permitted to be reinserted. TMEP §1402.07(e).

Applicant may adopt the following identification, if accurate:

International Class 41: Production of audiovisual recordings featuring (identify what the subject is); providing audiovisual recordings, not downloadable, via video-on-demand services, featuring (identify what the subject is); entertainment services in the nature of an ongoing show in the field of reality-based programming, comedy, and music comedy delivered by television and the internet; entertainment information.

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant’s rights. *See* TMEP §§705.02, 709.06.

TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE: Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (see TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. *See* 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$125 per class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner’s amendment by telephone or e-mail without incurring this additional fee.

/Eugenia K. Martin/
Eugenia K. Martin
Examining Attorney
Law Office 114
571-272-9458
eugenia.martin@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application.

For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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Parody Star Celestial Re-enacts Celebrity Instagram Photos In Hilarious Poses



By sammy brown |

An Australian stand-up comedienne **celeste barber** is constantly rocking the internet with her incredibly hilarious posts reenactment of celebrity fashion shots. Thanks to the constant flow of weird celebrity poses and outfits, Celeste is never out of ideas and her ongoing series **#celestechallenge** accepted continues to amuse the more than 2.8 Million followers on her Instagram.

When probed by daily mail on the motivation behind the trend, she was quick to give a reassuring smile followed by, 'people are really supporting it- I didn't really care for how long it would be perceived, I just started it for my friends who I knew would love it. I continued it because people are telling me it's their daily laugh and they have started to challenge me.'

Her parodies continue to remind individuals that it is okay not to be perfect and to be proud of their bodies.to those who intentionally flaunt their bodies to make others feel bad, Celeste did not hide her sentiments either 'I get miffed with fashionistas thinking they are better than others'.

More info: [Instagram](#)

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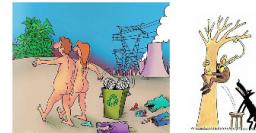
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Transgender Man Shares His Before And After Photos, Check Out The Amazing Transformation



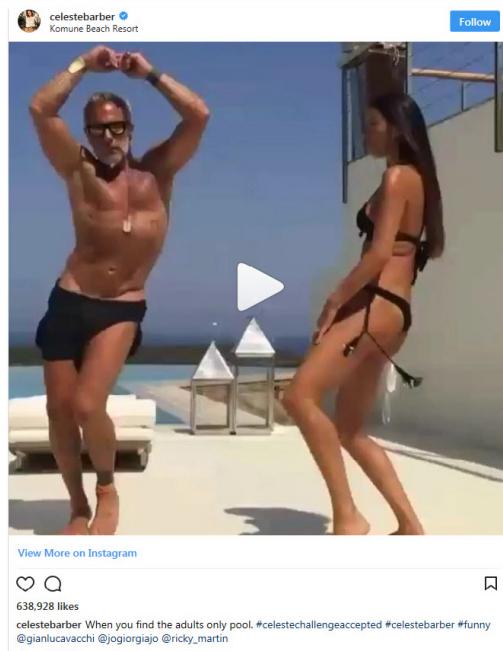
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#4





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2 MONTHS AGO



#5



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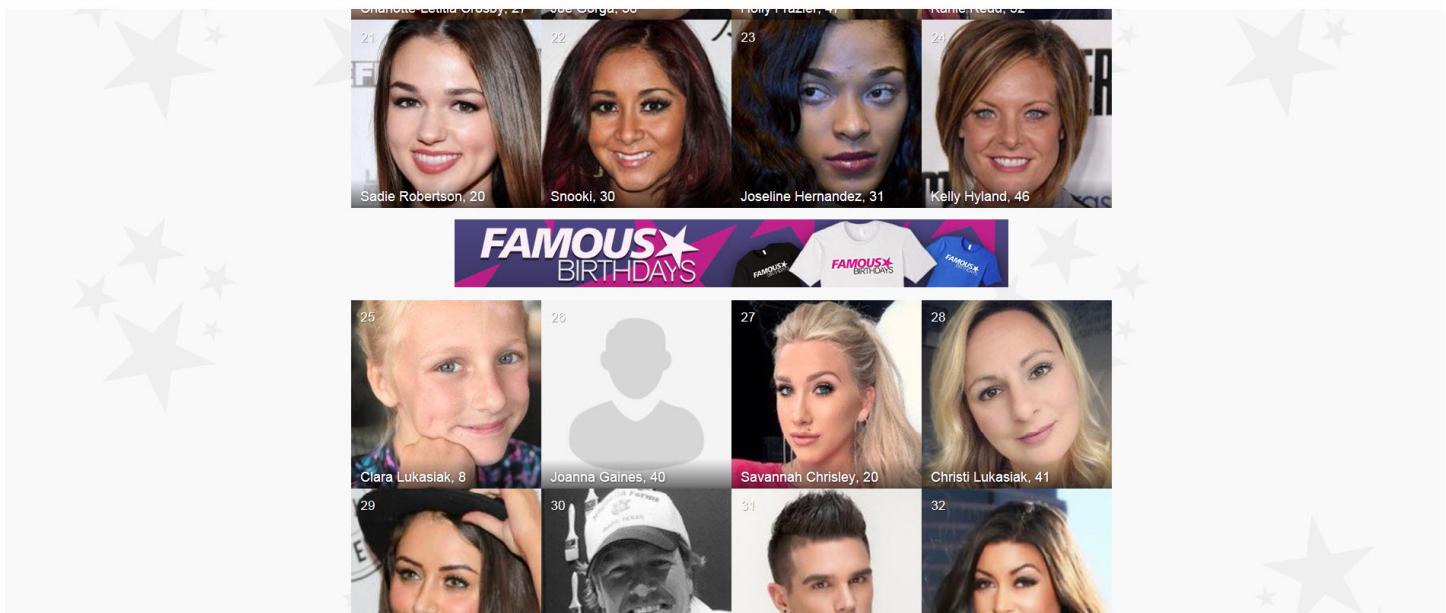
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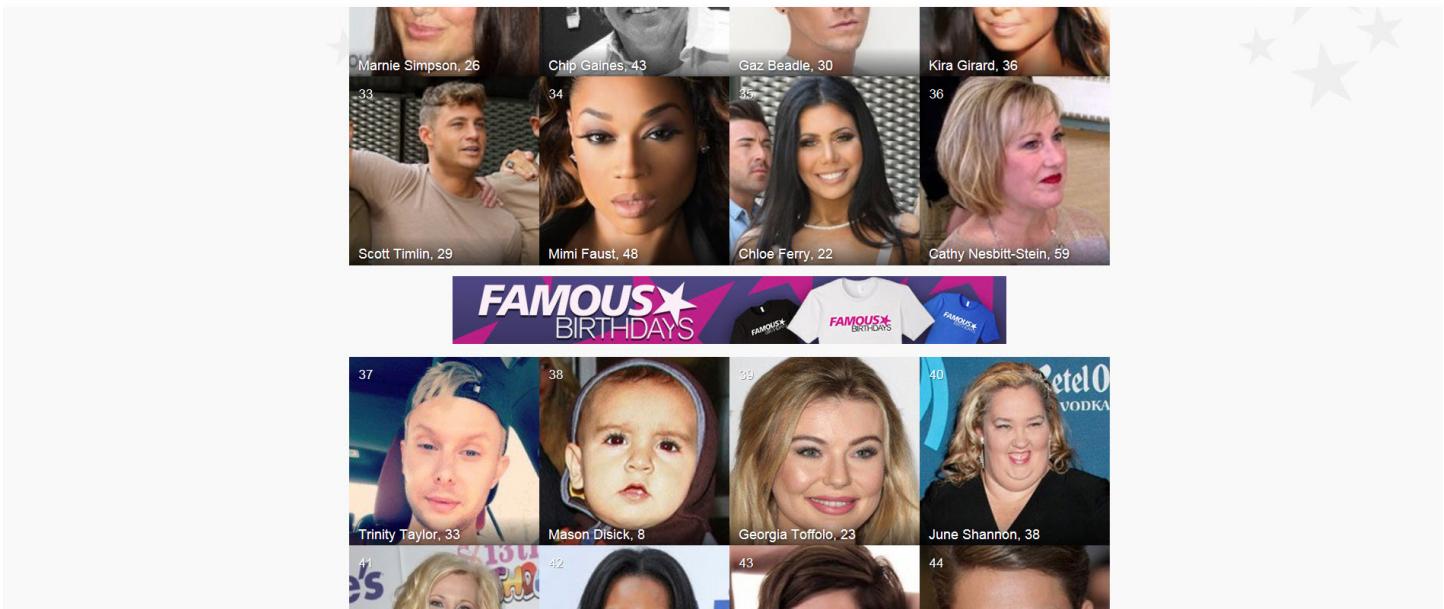


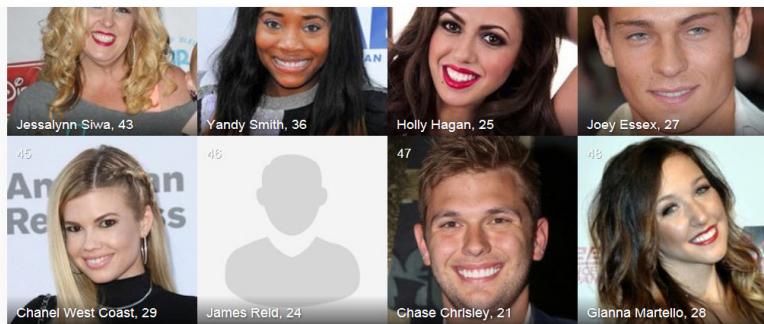
Reality Stars

1 Kim Kardashian, 37	2 Kylie Jenner, 20	3 Abby Lee Miller, 51	4 Khloe Kardashian, 33
5 Kourtney Kardashian, 39	6 Caitlyn Jenner, 68	7 Kris Jenner, 62	8 Alabama Barker, 12
9	10	11	12









[Reality Stars by Age](#)

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The AMERICAN HERITAGE® dictionary of the English Language

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star (stăr) (star)

n.

1. **a.** A celestial body that generates light and other radiant energy and consists of a mass of gas held together by its own gravity in which the energy generated by nuclear reactions in the interior is balanced by the outflow of energy to the surface, and the inward-directed gravitational forces are balanced by the outward-directed gas and radiation pressures.
b. Any of the celestial bodies visible at night from Earth as relatively stationary, usually twinkling points of light.
c. Something regarded as resembling such a celestial body.

2. A graphic design having five or more radiating points, often used as a symbol of rank or merit.

3. **a.** An artistic performer or athlete whose leading role or superior performance is acknowledged.
b. One who is highly celebrated in a field or profession.

4. **a.** An asterisk (*).
b. The star key on a telephone. For customer service, press star.

5. A white spot on the forehead of a horse.

6. A planet or constellation of the zodiac believed in astrology to influence personal destiny.

7. **stars** The future; destiny. Often used with the.

adj.

1. Outstanding or famous, especially in performing something: a star researcher; a star figure skater.
2. Of or relating to a star or stars.

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v. **starred, starring, stars**
v.tr.

- a. To ornament with stars.
- b. To award or mark with a star for excellence.

2. To mark with an asterisk.

3. To present or feature (a performer) in a leading role.

v.intr.

1. To play the leading role in a theatrical or film production.
2. To do an outstanding job; perform excellently.

Idioms:

have stars in (one's) eyes

To be dazzled or enraptured, as with romantic love.

see stars

To experience bright, flashing sensations, as from a blow to the head.

[Middle English sterre, from Old English steorra; see **ster³** in the Appendix of Indo-European roots.]

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par-o-dy (pär'ə-dē)

n. pl. **par-o-dies**

1.

- a. A literary or artistic work that uses imitation, as of the characteristic style of an author or a work, for comic effect or ridicule.
- b. A genre, as in literature, comprising such works.

2. Something so bad as to be equivalent to intentional mockery; a travesty: The trial was a parody of justice.

3. Music: The practice of reworking an already established composition, especially the incorporation into the Mass of material borrowed from other works, such as motets or madrigals.

tr.v. **par-o-died**, **par-o-dy-ing**, **par-o-dies**

To make a parody of. See *Synonyms at imitate*.

[Latin *parōdīa*, from Greek *parōdīā* : *para-*, subsidiary to; see *para*¹ + *oīdē*, *ōidē*, song; see *wed*² in the Appendix of Indo-European roots.]

par-o-rod (pär'ə-rōd' ik), **par-o-rod** (pär'ə-rōd' i-käl) *adj.*
par-o-dist *n.*
par'o-dis *tic adj.*

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The image is a composite of two screenshots from the IMDb website. The top half shows the homepage for the TV show 'Westworld'. It features a large banner for the season premiere with the HBO logo and the text 'WATCH THE SEASON PREMIERE'. Below this is a 'START STREAMING' button for Prime Video and other platforms. The main content area shows a thumbnail for 'Westworld' with two characters in a red-toned setting. To the right is a sidebar for 'Westworld' with a large vulture standing on a desolate landscape under a red sky. The bottom half of the image shows the IMDb page for the TV show 'Pawn Stars'. It features a large banner for the season premiere with the HGTV logo and the text 'WATCH THE SEASON PREMIERE'. Below this is a 'START STREAMING' button for Prime Video and other platforms. The main content area shows a thumbnail for 'Pawn Stars' with a man in a suit and a hat on a table with blood splatters. To the right is a sidebar for 'Pawn Stars' with two women in a kitchen. The bottom of the image shows the navigation and search bar of the IMDb website.

seasons 14 13 12 11 10 9 ... See all » **years** 2017 2016 2015 2014 ... See all »

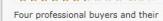
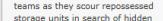
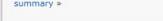
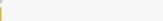
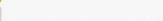
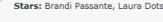
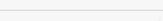
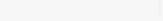
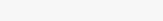
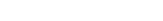
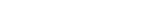
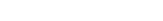
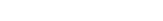
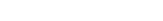
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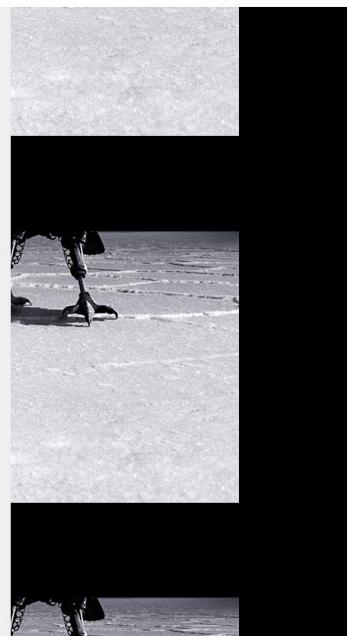
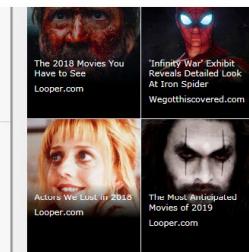
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Storage Wars (TV Series 2010)                                                                                 <img alt="3



	Richard Harrison	...	Himself - The Old Man / ...	272 episodes, 2009-2015	Edit
	Austin 'Chumlee' Russell	...	Himself / ...	272 episodes, 2009-2015	Edit
See full cast »					
<h2>Storyline</h2>					
Pawn Stars takes you inside the colorful world of the Gold & Silver Pawn Shop based in Las Vegas, Nevada. Watch as three generations of the Harrison Family jointly run the business and experience clashing and camaraderie. They're the experts at wheeling and dealing, with a keen eye for authentic goods. With unforgettable characters and fascinating items, Pawn Stars presents an addictively entertaining television innovation.					
Plot Summary Add Synopsis					
Plot Keywords: family business haggling las vegas nevada pawnshop expert					
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Taglines: His house. His rules.					
Genres: Reality-TV					
Certificate: TV-PG See all certifications »					
Parents Guide: View content advisory »					
<h2>Details</h2>					
Official Sites: History Channel Official Facebook See more »					
Country: USA					
Language: English					
Release Date: 19 July 2009 (USA) See more »					
Also Known As: El precio de la historia See more »					
Filming Locations: Nevada, USA See more »					
<h2>Company Credits</h2>					
Production Co.: Leftfield Pictures , History Channel See more »					
Show more on IMDbPro »					



Technical Specs

Runtime: 30 min
Color: Color
[See full technical specs »](#)

Did You Know?

Trivia
During filming, the shop is temporarily closed with only a small number of customers being allowed inside. [See more »](#)

Goofs
The pawn shop is always jam-packed during the "stock footage" of the shop shown between segments, yet is mysteriously empty during most transactions that take place there on the show. This is because the shop closes and vacates its customers during most filmed transactions. [See more »](#)

Quotes
[Opening narration, beginning 30 May 2013]
Rick Harrison - "The Spotter": At my shop, family comes first, and money comes second, depending on who ya ask. But the best part: You never know what's gonna come through that door. This is "Pawn Stars."
[See more »](#)

Crazy Credits
Early episodes "play it straight" in the "this time on Pawn Stars" segments at the beginning of the show, showing what will be sold/traded/etc. on the show. However, in more recent seasons, this has become more of a "joke" segment, and features outtakes or funny scenes that aren't in the actual respective segments (cars not starting, comical dialogue, things going wrong, etc.) [See more »](#)

Connections
Referenced in *Late Show with David Letterman: Katie Holmes/Rick Harrison/Ellen DeGeneres* (2010) [See more »](#)

Soundtracks
Good Luck, Bad Luck (uncredited)
Written by Lynyrd Skynyrd
Performed by Lynyrd Skynyrd
[See more »](#)

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How many episodes of *Pawn Stars* have you seen?

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Frequently Asked Questions

Q: How do I get on the show?
Q: Is the shop really open 24 hours?
Q: How many spin-offs of the show are there?
[See more >](#)

User Reviews

1.5 [unwatchable now](#)
30 January 2014 | by CBeahan – See all my reviews

Too many produced BITS/SKITS...we've seen Chum driving in his valuable sports cars in REAL life and know he makes a lot of money. Yet they send him to financial help guys etc....equals TIME FILLER Too many of the people "customers" coming into the store are now repeat/regulars. It was bad enough when they tried to pass off the American Restoration guy as just a customer. But then that shows customers became Pawn Stars customers. Casting is lacking in Vegas.

It all tells me the show has run it's course and has nothing left in the tanks. Most things they don't even buy anymore...if they ever bought the items anyways.

I still watch the show, well record it on the DVR...But 60% of the show is now fast forwarded through.

If you want to watch this show...JUST watch the first few years of it NOT the current or new ones.

17 of 22 people found this review helpful. Was this review helpful to you? | [Report this](#)

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New Season June 10 9|8c

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THE SEARCH FOR STARDOM STARTS SOON





A Pre-Competition: Comeback Kitchen

ON TV

ON NOW Kids Baking Championship 2pm | 1c Watch Live TV

UP NEXT Kids Baking Championship 3pm | 2c

ON TONIGHT Spring Baking Championship 9pm | 8c

Bobby and Giada Will Mentor 10 Rivals ... Only 1 Becomes a Star

SEE FULL SCHEDULE

Chatting with Last Year's Star

FOOD NETWORK STAR EXTRAS

Mission: Salvation
Alex serves as a mentor for ousted (but hopeful) finalists.
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Quiz: You in the Kitchen
See if we can guess your style in the kitchen.
» [Get Started Now](#)

Chefs' Insider Advice
Current Stars share their words of industry wisdom.
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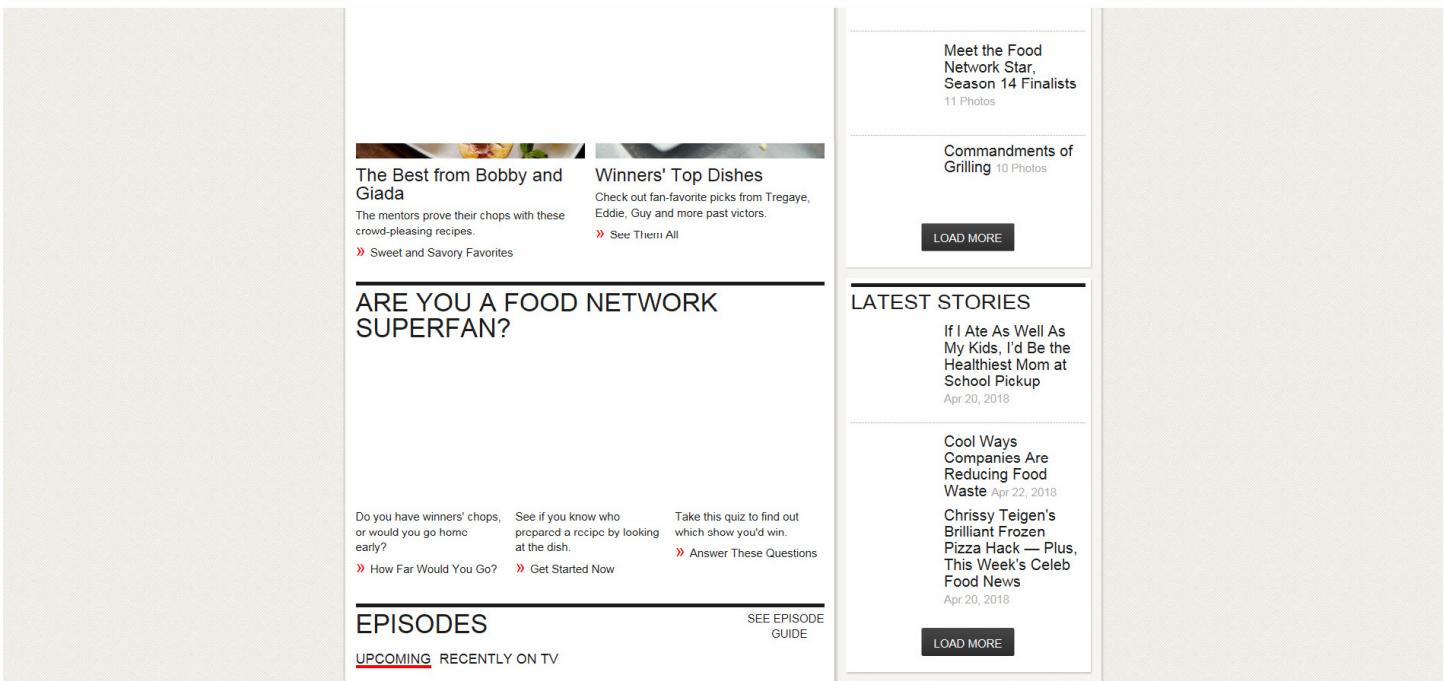
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WHAT'S NEW

Meet the Hopefuls Competing on Comeback Kitchen
8 Photos



Season 0, Episode 16

Comeback Kitchen: Reheat or Reinvent

Eight former finalists are back in the Food Network Star kitchen for a second shot at stardom. Co-hosts Valerie Bertinelli and Tyler Florence challenge the alumni with reinventing a TV dinner while demonstrating that they've improved upon their flaws from the past. For the Star Challenge, the finalists have to marry two unlikely favorites, cereal and dessert, and show off their creations in a one minute demo. In the end, one hopeful is eliminated from the competition.

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Meet the Hosts

Before one finalist can be crowned the newest Star, hopefuls will have to impress judge-mentors Bobby and Giada during the job interview of their lives.

About the Mentors

- » [Bobby Flay](#)
- » [Giada De Laurentiis](#)

SUNDAY

May 27
9pm | 8c



only \$10 a month
the world judges. we don't.

MONDAY

May 28
12am | 11c



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Sent: 4/23/2018 2:28:54 PM
Sent As: ECOM114@USPTO.GOV
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